

**BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

REGULAR MEETING

AUGUST 2, 2005

COUNTY COMMISSIONERS

Jennifer Hill, Chairman

Catherine C. Hanson, Vice Chairman

Robert A. Pool, District #2

Debbie Stivender, District #3

Welton G. Cadwell, District #5

Cindy Hall, County Manager

Sanford A. Minkoff, County Attorney

James C. Watkins, Clerk to the Board

DISCLAIMER

This booklet has been prepared for the convenience of the Board of County Commissioners in discussing matters before them. Every effort has been made to include all items to be discussed at this Board of County Commissioners meeting, however, Commissioners may add items, which are not a part of this Agenda, or items may be removed from consideration. While it has been the goal to present error-free information, we do not represent that documentation is without errors or omissions.

As a part of any public and formal meeting, the Board of County Commissioners may, from time to time, schedule a workshop during which they will receive information from staff, have discussions with staff and among themselves, and then proceed to give staff direction on the subject matter being discussed unless otherwise shown on the Agenda item. These discussions and workshops do not take the place of the formal public hearing process during which all public comment and formal action is taken.

The Board and staff welcome written comments prior to workshops and other meetings. If you have comments or questions regarding the subject matter of any Board action or workshop, please deliver your written comments to appropriate County staff or mail to the Board of County Commissioners, Post Office Box 7800, Tavares, FL 32778.

ITEMIZED AGENDA

August 2, 2005

9:00 A.M. Invocation

Pledge of Allegiance

I. AGENDA UPDATE

Discussion regarding proposed revisions to today's Agenda.

II. MINUTE APPROVAL

Tab 1 Approval of the following Minutes:

June 14, 2005	Regular Meeting
June 21, 2005	Regular Meeting
June 28, 2005	Regular Meeting

III. CLERK OF COURT'S CONSENT AGENDA

Tab 2 Approval of Clerk of Courts' Consent Agenda (Items 1 through 12):

1. Acknowledge receipt of list of checks or warrants paid prior to this meeting, pursuant to Chapter 136.06(1) of the Florida Statutes, which shall be incorporated into the Minutes as attached Exhibit A and filed in the Board Support Division of the Clerk's Office – Acknowledge receipt.
2. Contractor Bonds – New and Cancellations - Approval.
3. Monthly Distribution of Revenue Traffic/Criminal Cases for the Month Ending June 20, 2005. Disbursements due to Board - \$169,621.23; Same period, last year - \$217,092.04 – Acknowledge receipt.

4. Received from State of Florida Auditor General the Lake County District School Board Florida Education Finance Program (FEFP) Full-Time Equivalent (FTE) Students and Student Transportation for the Fiscal Year Ended June 30, 2004 (Report Number 2005-195, June 2005) – Acknowledge receipt.
5. Received the following annexation ordinances from the City of Mount Dora:
Ordinance Number 837 – property generally located on Niles Road, South of Wolf Branch Road, as described;
Ordinance Number 850 – property generally located on Coddling Place, East of Highway 19A, as described;
Ordinance Number 859 – property generally located east of the Intersection of Eudora Road and New U.S. Highway 441, as described;
Ordinance Number 870 – property generally located on sunrise Boulevard, as described;
Ordinance Number 871 – property generally located on Stacey Circle, as described;
Ordinance Number 872 – property generally located on Lake Center Drive, East of Highway 19-A, as described; and
Ordinance Number 876 – property generally located on the Northeast Corner of the Intersection of New U.S. Highway 441 and Pine Avenue, as described – Acknowledge receipt.
6. Received notice of public hearing and copy of the Arlington Ridge Community Development District Proposed Operating Budget for Fiscal Year 2006, in accordance with Chapter 190.008(2)(b) of the Florida Statutes – Acknowledge receipt -
Date: Monday, September 12, 2005
Time: 10:00 a.m.
Place: The Offices of Steven Richey
601 South Ninth Street
Leesburg, FL 34748
7. Received notice of public hearing and copy of the Country Greens Community Development District Proposed Operating Budget for Fiscal Year 2006, in accordance with Chapter 190.08(2)(b) of the Florida Statutes – Acknowledge receipt -
Date: Wednesday, August 31, 2005
Time: 10:30 a.m.
Place: Eagle Dunes Golf Club
24000 Marbella Drive
Sorrento, FL 32776

8. Received notice of public hearing and copy of the Pine Island Community Development District Proposed Operating Budget for Fiscal Year 2006, in accordance with Chapter 190.008(2)(b) of the Florida Statutes – Acknowledge receipt -
Date: Tuesday, August 30, 2005
Time: 9:00 a.m.
Place: Bella Collina Discover Center and Sales Office
15920 CR 455
Montverde, FL 34756-3701
9. Received a copy of Ordinance 2005-G from the Town of Astatula, Florida repealing all municipal ordinances or portions thereof inconsistent with Chapter 4 of the Lake County Code; requesting the County to enforce the provisions of the Lake County Code dealing with animal control services within the municipal limits or the Town; providing for severability; providing for an effective date, passed and adopted by the Town Council of the Town of Astatula, Lake County, Florida, on the 11th day of July 2005 – Acknowledge receipt.
10. Received from the Town of Howey-in-the-Hills the following Annexation Ordinances – Acknowledge receipt:
Ordinance 2004-321 – Annexing approximately 385 acres of land generally located west of State Road 19 between South Florida Avenue and Revels Road into the corporate limits of the Town – Robert Holston, Applicant on behalf of Jack Berry as Trustee, Owner, passed and ordained the 22nd day of March 2004.
Ordinance 2005-346 – Annexing approximately 30.363 acres of land generally located west of Florida Avenue and Southeast of Central Avenue into the corporate limits of the Town – Steve Luce, Applicant on behalf of Lykes Bros., Inc., Owner, passed and ordained the 28th day of March 2005.
Ordinance 2005-349 – Annexing approximately 133.69 acres of land generally located east of State Road 19, North of Revels Road and West of Lakeshore Boulevard into the corporate limits of the Town – Steve Luce, Applicant on behalf of Lykes Bros., Inc., Owner, passed and ordained the 28th day of March 2005
Ordinance 2005-353 – Annexing approximately 9.143 acres of land generally located South of Number Two Road into the corporate limits of the Town – Richard H. Langley, Applicant on behalf of Roxbury Venture, LLC, Owner, passed and ordained the 28th day of March 2005.
Ordinance 2005-354 – Annexing approximately 81.953 acres of land generally located South of Number Two Road into the corporate limits of the Town – Richard H. Langley, Applicant on

behalf of Roxbury Ventures, LLC, Owner, passed and ordained the 28th day of March 2005.

Ordinance 2005-355 – Annexing approximately 82.53 acres of land generally located South of Number Two Road into the corporate limits of the Town – Richard H. Langley, Applicant on behalf of William Kent Stokes as Trustee of the Elizabeth S. Hull Family Trust UAD 12/10/99, Owner, passed and ordained the 28th day of March 2005.

11. City of Minneola, Florida, Ordinance 2005-20 consenting to remain within the county-wide Municipal Service Taxing Unit for ambulance and emergency medical services. Whereas the five year term will expire on July 25, 2005, this consent shall be for a term of five (5) years. Passed and ordained on June 28, 2005, by the City Council of the City of Minneola, Florida – Acknowledge receipt.
12. Central Lake Community Development District, Annual Financial Report, for Fiscal Year ended September 30, 2004, prepared by Bray, Beck & Koetter, Certified Public Accountants, P.A. The Central Lake Community Development District was created by the Board of County Commissioners of Lake County, Florida, by Ordinance Number 2001-75 pursuant to the provisions of Chapter 190, Florida Statutes – Acknowledge receipt.

RECOMMENDATION: Approval

IV. **COUNTY MANAGER'S CONSENT AGENDA** (Tabs 3 through 11)

A. **Budget**

Tab 3

1. Budget transfer – General Fund, Department of Community Services, Administration Division. Transfer \$125,000.00 from Medicaid Nursing Home to LifeStream Behavioral Center. Additional funds are needed in LifeStream Behavioral Center to cover additional cost of LifeStream for transportation costs from October 1, 2004 to February 28, 2005. Sufficient funds are available in the Medicaid Nursing Home budget account to cover this cost.

RECOMMENDATION: Approval

2. Budget transfer – Sales Tax Capital Projects Fund, Office of Budget. Transfer \$5,624,220.00 from Land, Improvements Other Than Buildings, Machinery and Equipment, Aids to Government Agencies and Special Reserve to Buildings. On June 21, 2005, the Board of County Commissioners approved a new project listing for Fiscal Year 2005 – 2007 and the associated funding sources. In order to implement the approved listing, the budgeted amounts on individual line items require a budget transfer for the associated budgeted items that are no longer funded with this funding source. The appropriate amounts need to be transferred either to another line item or capital reference code.

RECOMMENDATION: Approval

3. Budget transfer – Renewal Sales Tax Capital Projects Fund, Office of Budget. Transfer \$725,924.00 from Buildings to Land, Machinery and Equipment, and Special Reserve. On June 21, 2005, the Board of County Commissioners approved a new project listing for Fiscal Year 2005 – 2007 and the associated funding sources. In order to implement the approved listing, the budgeted amounts on individual line items require a budget transfer for the associated budgeted items. Funds are available in the line item and prior capital items that are no longer funded with this funding source. The appropriate amounts need to be transferred either to another line item or capital reference code.

RECOMMENDATION: Approval

4. Resolution to amend the General Fund in order to receive unanticipated revenue for Fiscal Year 2004 – 2005 in the amount of \$9,429.00 deposited into Insurance Proceeds and provide appropriations for the disbursement to Department of Growth Management, Geographic Information Services Division, Machinery and Equipment, to replace a stolen GPS unit.

RECOMMENDATION: Approval

B. Community Services

Tab 4 Approval of the Florida Agency for Persons with Disabilities Medicaid Family and Support Living Waiver Agreement from July 19, 2005 through July 18, 2006.

RECOMMENDATION: Approval

C. Employee Services

Tab 5 Approval of settlement of Workers' Compensation claim for Elaine Jones and authorize the Chairman to execute the appropriate document(s), subject to the County Attorney's review and approval.

RECOMMENDATION: Approval

Tab 6 Approval of settlement of Workers' Compensation claim for Richard Torres and authorize the Chairman to execute the appropriate document(s), subject to the County Attorney's review and approval.

RECOMMENDATION: Approval

D. Procurement Services

Tab 7 Approval and authorization for Procurement Services to waive bid requirements and procure search engine advertising on Google.com for the Department of Economic Development and Tourism.

RECOMMENDATION: Approval

E. Public Works

Tab 8 Approval to accept the following listed public right of way deeds that have been secured in conjunction with roadway and/or stormwater projects: two Drainage Easement Deeds; one Special Warranty Deed; two Statutory Quitclaim Deeds; 11 Statutory Warranty Deeds; and three Temporary Non-Exclusive Construction Easement Deed and Perpetual Grading Easement Deeds.

RECOMMENDATION: Approval

Tab 9 Approval and execution of a Purchase Agreement with Florence O. Parker, Individually and as Trustee of the Florence O. Parker Revocable Living Trust, for right of way; and authorization for the Chairman of the Board of County Commissioners to sign any and all documents necessary for closing, in conjunction with the Edwards Road (Number 7009) Paving Project, located in the Lady Lake area in Section 21, Township 18 South, Range 24 East.

RECOMMENDATION: Approval

Tab 10 Approval and authorization to release a Letter of Credit for Performance in the amount of \$303,339.00 for Palisades Phase 2C; accept a Letter of Credit for Maintenance in the amount of \$48,273.00; execute a Developer's Agreement for Maintenance of Improvements between Lake County and Canam Palisades, Ltd.; and execute a Resolution accepting the following roads into the County Road Maintenance System: Spring Park Drive (County Road Number 1837) and Smoke Ridge Court (County Road Number 1837A). Palisades Phase 2C consists of 39 lots – Commission District 2.

RECOMMENDATION: Approval

Tab 11 Approval and authorization to release a Letter of Credit for Performance in the amount of \$397,748.14 for Palisades Phase 2D; accept a Letter of Credit for Maintenance in the amount of \$48,219.00; execute a Developer's Agreement for Maintenance of Improvements between Lake County and Canam Palisades, Ltd.; and execute a Resolution accepting the following road into the County Road Maintenance System: Spring Lake Drive "Part" (County Road Number 1835). Palisades Phase 2D consists of 36 lots – Commission District 2.

RECOMMENDATION: Approval

V. PRESENTATIONS/PERSONAL APPEARANCES/PUBLIC HEARING

A. PRESENTATIONS – 9:00 A.M. or as Soon Thereafter

1. PRESENTATIONS

PRESENTATION: Proclamation 2005-94 Honoring the Boys and Girls Club AAU Basketball Team

Tab 12 **PRESENTATION:** Check for Twin Lakes Park by Senator Carey Baker and Representative Alan Hayes

Tab 13 **PRESENTATION:** Check for Pine Forest Park, II by Senator Carey Baker and Representative Alan Hayes

Tab 14 **PRESENTATION:** Proclamation for the Month of August 2005 as Lake County Firefighter Appreciation Month to Jared Mielke, Lake County Firefighter and Muscular Dystrophy Association (MDA) Coordinator

PRESENTATION: Recognition to Marjorie Boyd, Director, and Staff of Public Safety's Animal Services Division, for a National Association of Counties (NACo) 2005 Achievement Award for its "Pet-Friendly Hurricane Shelters"

B. PERSONAL APPEARANCES – 9:00 A.M. or as Soon Thereafter

1. EMPLOYEE AWARDS

Presentation of Award to Employees with Five Years of Service

Stephen M. Gladwell, Plans Examiner I, Growth Management/Building Services/South Lake Annex

Donald R. Horvath, Laborer, Economic Development and Tourism/Fairgrounds

Donald B. Lally, Plans Examiner II, Growth Management/Building Services/South Lake Annex

Kristen K. Wiley, Librarian II, Community Services/Library Services/Cooper Memorial Library

Charles D. Olson, Equipment Operator III, Public Works/Road Operations/Maintenance Area I

Presentation of Award to Employee with Ten Years of Service

Robert A. Sustarsic, Maintenance Crew Leader, Facilities Development and Management/Facilities Management/Facilities Maintenance

Presentation of Award to Employee of the Quarter

Susan Nies, Senior Probation Clerk, Community Services/Probation

Presentation of Award to Supervisor of the Quarter

Kelly LaFollette, Information Outreach Manager, County Manager/Information Outreach

Presentation of Bright Idea Award

John McKimmey, Delivery Service Driver/Operator, Community Services/Library Services

C. PRESENTATIONS – 9:30 A.M. or as Soon Thereafter

1. PRESENTATIONS

PRESENTATION: Sheriff's Budget by Sheriff Chris Daniels

Tab 15 **PRESENTATION:** Progress Update on Community Enhancement Area Partnership Program by Bill Gearing, Community Enhancement Coordinator, Community Services

PRESENTATION: Emerald Marsh Restoration Project by David Walker, St. Johns River Water Management District

D. PUBLIC HEARING - 9:00 A.M. or as Soon Thereafter

1. PUBLIC HEARING

Tab 16 **PUBLIC HEARING:** Proposed Ordinance Amending Section 10.05.02 relating to Mobile Homes (Temporary Housing during Construction)

CITIZEN QUESTION AND COMMENT PERIOD

At this point in the meeting, the Board of County Commissioners will hear questions, comments and concerns from the citizens of Lake County. Action will not be taken by the Board at this meeting but questions may be answered by staff or issues may be referred for appropriate staff action. If further action is necessary, the item may be placed on the agenda for further review and consideration. NOTE: Zoning or code enforcement matters which may be coming before the Board at a later date should not be discussed until such time as they come before the Board in a public hearing.

VI. COUNTY MANAGER'S DEPARTMENTAL BUSINESS (Tab 17 through 18)

A. Economic Development and Tourism

Tab 17 Approval and signature on an amended Master Agreement between Lake County and the Economic Development Commission of Mid-Florida, Inc. to be effective for the Fiscal Years 2006 through 2010.

RECOMMENDATION: Approval

B. Public Works

Tab 18 Approval to purchase right of way and initiate design and permitting for the purposes of constructing a clay county maintained road for a roadway corridor that would connect Pine Lakes and Forest Hills communities (Roadways: Fonseca Lane, Big Foot Way and Jewell Drive).

RECOMMENDATION: Approval

VII. OTHER BUSINESS (Tab 19)

Tab 19 Appointment of Bill Calhoun as the Town of Lady Lake's member representative on the Lake County Library Advisory Board to complete an unexpired term ending February 28, 2008.

VIII. REPORTS

A. County Attorney

B. County Manager

C. Commissioner Hill – Chairman and District #1 (Tab 20)

Tab 20 Approval to appoint Tony Bowman, Brighthouse Networks, and to reappoint Margo Odom of Sprint to the Workforce Central Florida Board of Directors

D. Commissioner Pool – District #2

E. Commissioner Stivender – District #3

F. Commissioner Hanson – District #4

G. Commissioner Cadwell – District #5

The County Commission reserves the right to move any Agenda item to an earlier time during the day as its schedule permits, except in the case of items and appointments that have been advertised in a newspaper for a specific time.

Pursuant to the provisions of Chapter 286, Florida Statutes, Section 286.0105, if a person decides to appeal any decision made by the County Commission with respect to any matter considered at this Commission meeting, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record may include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities needing assistance to participate in any of these proceeding should contact the Department of Facilities Development and Management at (352) 343-9760, 48 hours in advance of the scheduled meeting.

TENTATIVE AGENDA

AUGUST 9, 2005

9:00 A.M. Board Retreat

9:00 A.M.
or as Soon
Thereafter PRESENTATION: Blueways Update

9:00 A.M.
or as Soon
Thereafter PRESENTATION: Stormwater Update

9:00 A.M.
or as Soon
Thereafter PRESENTATION: Public Safety Update

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TENTATIVE AGENDA

AUGUST 16, 2005

9:00 A.M. Regular Meeting

9:00 A.M.
or as Soon
Thereafter PRESENTATION: Review of Lake County's Health Care Profiles, Summary of the WellFlorida Council's Activities; Report on Direct Care Services Provided to County Residents, and Provide Updated Information on Health Care Legislation by Jeff Feller, Resource Development Director, WellFlorida Council, formerly the North Central Florida Health Planning Council

9:00 A.M.
or as Soon
Thereafter PUBLIC HEARING: Ordinance Amending Definitions and Section 11.01.03 concerning Off-Site Signs (Final Hearing)

10:00 A.M.
or as Soon
Thereafter PRESENTATION: Minneola Ridge Area-Wide Traffic Study by Tindale Oliver and Associates, Inc.

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TENTATIVE AGENDA

AUGUST 23, 2005

9:00 A.M. Regular Meeting (Zoning and Road Vacations)

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TENTATIVE AGENDA

SEPTEMBER 6, 2005

9:00 A.M. Regular Meeting

9:00 A.M.
or as Soon
Thereafter PRESENTATION: Proclamation Honoring the South Lake High School Girls Softball Team

5:05 P.M.
or as Soon
Thereafter PUBLIC HEARING: First Budget Hearing

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